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7 UNITED STATES DISTRICT COURT  
8 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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10 MICHAEL ASBERRY,

11 Plaintiff,

12 v.

NO. CIV. S-04-2467 LKK/PAN

13 CITY OF SACRAMENTO,

14 Defendant.  
15 \_\_\_\_\_/

16 Defendant has submitted a request for reconsideration and/or  
17 clarification of the magistrate judge's June 8, 2005 order. The  
18 moving party requests clarification of one portion of that ruling  
19 which deals with the production of employee personnel files. This  
20 court is in no position to clarify an order issued by the  
21 magistrate judge and any request for clarification/reconsideration  
22 should first be made to the magistrate judge.

23 Accordingly, the request for clarification and/or  
24 reconsideration is hereby REFERRED to the magistrate judge to  
25 clarify his June 8 order and/or reconsider it, if appropriate.  
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1 Should the parties seek further reconsideration after the  
2 magistrate judge rules on their request, they may then seek such  
3 from the district court judge.

4 IT IS SO ORDERED.

5 DATED: June 23, 2005  
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8 /s/ Frank C. Damrell Jr. for  
9 Lawrence K. Karlton  
United States District Judge